

Notice of Allowability

Application No.

10/750,153

Examiner

Anne V. Lai

Applicant(s)

KEMPER, JONATHAN T.

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to June 20, 2005.
2. ☒ The allowed claim(s) is/are 1-59.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413)
Paper No./Mail Date 6/20/2005
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Anatoly S. Weiser on 6/20/05.

2. In the specification paragraph [0020], Table 1, change "DELIBIRATE" to "DELIBERATE".

Drawings

3. The drawings filed on December 30, 2003 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftsperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

Reason for Allowance

4. The following is an examiner's statement of reasons for allowance:

Claims 1-59 are allowed over prior art of record because the cited references either alone or combined do not disclose the claimed invention:

A vehicle immobilizer device, comprising:

a switching element comprising first and second contacts electrically connected to a first system of a vehicle so that operation of the first system can be enabled when

Art Unit: 2636

the first and second contacts are held together, and so that the first system is not operable when the first and second contacts are apart, the first contact being connected to a first source carrying a first voltage, the switching element further comprising a control input capable of receiving a control signal, the switching element causing the first and second contacts to be held together when the control signal is in a first control signal state and causing the first and second contacts to be brought apart when the control signal is not in the first control state;

a connection receiving an immobilizer signal from a security system, the immobilizer signal assuming a first immobilizer signal state when the security system determines to disable the vehicle, the immobilizer signal causing the control signal to assume the first control state when the immobilizer signal is not in the first immobilizer state; and

a biasing circuit receiving the first voltage through the first and second contacts and causing the control signal to assume the first control state when the second contact is connected to the first source through the first contact and the immobilizer signal is not in the first immobilizer state.

A method of controlling the operation of a vehicle having the vehicle immobilizer device as claimed above.

The underline limitations are critical since it shows the system and method of improvement.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2636

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nagae et al disclose a start control apparatus for vehicle. [US. 2004/0004397]

Buchanan discloses antitheft starting and ignition device. [US. 3,628,056]

Kee et al disclose theft resistance system. [US. 6,744,148]

Iijima discloses antitheft apparatus for vehicle. [US. 5,519,376]

Khangura et al disclose an automotive security system. [US. 5,539,260]

Treharne et al disclose vehicle immobilizer system for electronic engine control. [US. 6,181,026]

Johnson discloses anti-theft device for vehicle. [US. 3,783,303]

Pastor discloses ignition disabling antitheft device. [US. 4,992,670]

Murphy discloses anti-theft device for motorized vehicle. [US. 5,061,915]

Jones discloses automobile anti-theft alarm and control unit. [US. 3,654,602]

Costino discloses anti-theft system for vehicle. [US. 4,792,792]

Lerche et al disclose vehicular theft prevention system and method. [US. 4,842,093]


Branco discloses antitheft system for starting a vehicle. [US. 4,739,736]

Art Unit: 2636

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne V. Lai whose telephone number is 571-272-2974. The examiner can normally be reached on 8:00 am to 5:30 pm, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass Jeffery can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


A. V. Lai
June 20, 2005


JEFFERY HOFSSASS
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